

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 59th LEGISLATURE - REGULAR SESSION

SELECT COMMITTEE ON EDUCATION FUNDING

Call to Order: By **CHAIRMAN MONICA LINDEEN**, on January 20, 2005
at 3:08 P.M., in Room 137 Capitol.

ROLL CALL

Members Present:

Rep. Monica Lindeen, Chairman (D)
Rep. Bill E. Glaser, Vice Chairman (R)
Rep. Norma Bixby (D)
Rep. Tim Dowell (D)
Rep. Dave Gallik (D)
Rep. Holly Raser (D)
Rep. Jon Sonju (R)

Members Excused: Rep. Verdell Jackson (R)

Members Absent: Rep. Bob Lake (R)
Rep. Pat Wagman (R)

Staff Present: Connie Erickson, Legislative Branch
Kim Leighton, Committee Secretary
Eddye McClure, Legislative Branch
Jim Standaert, Legislative Branch

Please Note. These are summary minutes. Testimony and discussion are paraphrased and condensed.

Committee Business Summary:

Hearing & Date Posted:
Executive Action:

DISCUSSION:

CHAIRMAN MONICA LINDEEN opened the meeting by stating that the committee would hear testimony from members of the education community today.

Linda McCulloch, State Superintendent, Office of Public Instruction(OPI), spoke of OPI's involvement in the education system. She explained the duties, and roles of OPI. She touched on federal programs as well as special education programs.

{Tape: 1; Side: A; Approx. Time Counter: 0 - 7.2}

(REP. PAT WAGMAN entered the meeting)

Linda McCulloch went on to discuss internet applications, aspects of No Child Left Behind(NCLB), and house bills that affect OPI.

{Tape: 1; Side: A; Approx. Time Counter: 7.2 - 16.1}

(REP. BOB LAKE entered the meeting)

Ms. McCulloch also mentioned the Indian Education For All Act and different aspects of implementing that into the education system. She also provided a document to support her testimony.

[EXHIBIT](#)(esh15a01)

QUESTIONS FROM THE COMMITTEE:

REP. BOB LAKE asked Ms. McCulloch what areas of NCLB can and are being negotiated.

Ms. McCulloch stated that they are taking that one step at a time.

REP. LAKE followed up by asking about the percentage improvements. He asked, "If a school isn't meeting the 100% mark, is there any communication to possibly alter that need?"

Ms. McCulloch said that there isn't much wiggle room in that area. All schools are expected to meet 100%.

REP. TIM DOWELL requested some clarification in terms of the reading level. He reiterated that schools have to meet the reading standards with 100% approval. His question was in regard to a definition of the population.

Ms. McCulloch explained that 100% means everyone. This includes all students, even those with learning disabilities.

REP. NORMA BIXBY asked if teacher aides are required to have a degree of some sort.

Ms. McCulloch stated that she was not sure. In her experience however, there have been very few that had degrees.

REP. BIXBY asked if OPI has come up with any other means of funding schools.

Ms. McCulloch explained that they have discussed it, and they would be more than happy to sit down with a group and work on it.

REP. DAVE GALLIK requested Ms. McCulloch give them a dollar amounts for the new bills that OPI is involved in.

Ms. McCulloch stated that she didn't have the figures with her, but that she could certainly get that to REP. GALLIK.

REP. GALLIK followed up by asking her opinion on the question of responsibility in defining a quality education system. He inquired, "Is it the responsibility of the legislature, OPI, or the Board of Public Education(BPE)?"

Ms. McCulloch referred to the Sherlock decision in saying that it is the duty of the legislature.

REP. LINDEEN thanked Ms. McCulloch for her input.

{Tape: 1; Side: B; Approx. Time Counter: 0 - 3.1}

Erik Burke, Montana Education Association-Montana Federation of Teachers(MEA-MFT), spoke of the quality of educators in Montana, as well as the three imperatives of court decisions. The first of these is the necessity of immediate relief. The second is accessing the needs of Montana schools. The third is to define quality education.

QUESTIONS FROM THE COMMITTEE:

REP. GALLIK asked Mr. Burke who holds the responsibility of defining quality education, given his role in the education community.

Mr. Burke responded by saying that it is the responsibility of the legislature. However, the BPE has a part as well.

{Tape: 1; Side: B; Approx. Time Counter: 3.1 - 12.2}

Lance Melton, Montana School Board Association(MTSBA), spoke briefly about the roles and duties of MTSBA. He also stated that they establish positions for the education community. He expressed that the MTSBA also works with the Montana Quality Education Coalition(MQEC). He stressed the importance of working with the House and the Senate in this process. He also provided a document to support his testimony.

[EXHIBIT\(esh15a02\)](#)

QUESTIONS FROM THE COMMITTEE:

REP. GALLIK stated that Mr. Melton identified several bills, and asked him if he saw any holes or if anything was missing.

Mr. Melton responded by saying he did not think anything was missing. He stated that LC 844 is probably the vehicle of this committee.

REP. GALLIK followed up by asking Mr. Melton who he feels has the responsibility of defining a quality education system.

Mr. Melton replied by saying that he believes there are three constitutional bodies involved. The legislature deals with funding, BPE generally supervises, and the local school boards shall supervise in control. All of them have to work together to make the system work.

REP. LINDEEN asked Mr. Melton to state what the most important bills are in his opinion.

Mr. Melton stated that short-term relief is the most important.

REP. LINDEEN wanted to redirect this question to Erik Burke.

Mr. Burke asserted that the priority is the three goals he mentioned earlier.

{Tape: 1; Side: B; Approx. Time Counter: 12.2 - 28.9}

Darrell Rud, School Administrators of Montana(SAM), provided the committee members with some administrative statistics. He emphasized that immediate relief is a must, and relayed that there is a shortage of administrators. He also provided several documents to support his claim.

[EXHIBIT\(esh15a03\)](#)

[EXHIBIT\(esh15a04\)](#)

[EXHIBIT\(esh15a05\)](#)

[EXHIBIT\(esh15a06\)](#)

REP. GALLIK asked Mr. Rud if he had more stickers that were contained on one of the documents.

Mr. Rud replied that he did.

{Tape: 2; Side: A; Approx. Time Counter: 0 - 12.6}

Dave Puyear, Montana Rural Education Association(MREA), explained some of their history, and touched on the members of the board. He also explained the process of defining quality education, and really emphasized the effort involved. He expressed concern that the short-term funding will not continue, and urged the committee to ensure that this doesn't happen. **Mr. Puyear** added that MREA is not against consolidation, but rather forced consolidation.

QUESTIONS FROM THE COMMITTEE:

REP. GALLIK approached Mr. Puyear by asking him how to maintain continued funding for education without doing more studies.

Mr. Puyear stated that the process of the accreditation standards is an ongoing study. However, they don't want to put this debate off anymore. They need to figure something out now.

REP. HOLLY RASER stated that the most important aspect of this is defining educationally relevant factors. She then asked Mr. Puyear what those factors are.

Mr. Puyear commented that there are a number of things to consider in this discussion.

REP. RASER added that she didn't need a list right away. She asked if he could come up with a list of what he wants the committee to consider.

Mr. Puyear stated that they have been working with the Senate. He cited SB 152 as being very similar to what this committee is focusing on.

REP. RASER said that they would need specific factors that the schools need money for.

REP. LINDEEN pointed out that Chris Lohse, Legislative Services Division had some input.

Chris Lohse stated that he was doing some research on educationally relevant factors for another committee. He said that he could provide some for this committee as well.

REP. RASER added that she would like concrete terms if that is possible.

REP. LINDEEN stated that what Chris Lohse is talking about is in SB 152.

REP. RASER requested that the groups define quality of education as well as educationally relevant factors.

{Tape: 2; Side: A; Approx. Time Counter: 12.6 - 31.6}

Steve Meloy, Board of Public Education(BPE), followed up on Dr. Kirk Miller's testimony. He mentioned that schools are not meeting the accreditation standards and the committee can't wait long; something needs to be done about this.

QUESTIONS FROM THE COMMITTEE:

REP. GALLIK stated that he understands what Mr. Meloy is saying, then asked how the committee should work with BPE to get on the same path to move forward.

Mr. Meloy commented that the wording of the court decision has added confusion to this equation.

REP. GALLIK attested that the committee wants to walk down the road together. However, they just want to make sure somebody doesn't get upset at what they are doing.

Mr. Meloy stated that it is hard to foresee this, because no matter what he wants to do, the language is in the court decision.

REP. PAT WAGMAN asked Mr. Meloy if the accreditation standards have changed since the court decision.

Mr. Meloy replied that they have dramatically changed.

REP. WAGMAN stated that the committee needs to know what the Supreme Court is going to say in regard to defining quality education. He wondered, "Is it solely the responsibility of the legislature, or does some of the obligation belong to BPE?"

Mr. Meloy insisted that it would be very helpful to get some clarification on that issue.

{Tape: 2; Side: B; Approx. Time Counter: 0 - 9.4}

Jack Copps, Montana Quality Education Coalition(MQEC), commented on establishing quality schools. He spoke of a raffle in East Helena to find a teacher, and how wrong that is. It is a great example of why the committee needs to make changes to define quality education.

{Tape: 2; Side: B; Approx. Time Counter: 9.4 - 14.2}

Bruce Messenger, Superintendent of Helena Public Schools, stated that committee should look at the inefficiencies in the school system and address them. He also encouraged the committee to try not to make this too difficult. He also provided a document to support his testimony.

[EXHIBIT](#)(esh15a07)

REP. LINDEEN closed the hearing with some general announcements.

Eddye McClure previewed Friday's meeting.

Jim Standaert spoke about a working group of the House Joint Education Subcommittee, and when they would be meeting.

ADJOURNMENT

Adjournment: 4:57 P.M.

REP. MONICA LINDEEN, Chairman

KIM LEIGHTON, Secretary

ML/KL

Additional Exhibits:

EXHIBIT ([esh15aad0.TIF](#))